

House File 529 - Introduced

HOUSE FILE 529

BY JENEARY

A BILL FOR

1 An Act relating to the removal of vehicles or debris from
2 highways, including payment of associated costs and blue
3 lights on involved towing or recovery vehicles.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.371, Code 2023, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. A person who is at fault for causing
4 the crash, collision, or other circumstance that resulted in
5 the wrecked or damaged vehicle on the highway is liable for
6 all costs associated with removing the vehicle, glass, and
7 other injurious substance from the highway, as described in
8 subsection 1. The costs shall be paid by the person or by the
9 person's insurance company pursuant to the person's insurance
10 policy.

11 Sec. 2. Section 321.423, subsection 3, paragraph a, Code
12 2023, is amended by adding the following new subparagraph:

13 NEW SUBPARAGRAPH. (6) A towing or recovery vehicle,
14 regardless of whether the vehicle is an authorized emergency
15 vehicle, while being used to clear a vehicle or debris from a
16 highway.

17 Sec. 3. Section 321.423, subsection 3, paragraph b, Code
18 2023, is amended to read as follows:

19 b. A person shall not use only a blue light on a vehicle
20 unless the vehicle meets the requirements of paragraph "a",
21 subparagraph (1), (2), ~~or (3)~~, or (6).

22 Sec. 4. Section 515.48, subsection 1, paragraph a,
23 subparagraph (8), Code 2023, is amended to read as follows:

24 (8) Loss or damage caused by railroad equipment, motor
25 vehicles, airplanes, seaplanes, dirigibles, or other aircraft,
26 including but not limited to removal of vehicles, glass, or
27 other injurious substance from a highway as described in
28 section 321.371.

29

EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 Under current law, any person removing a wrecked or damaged
33 vehicle from a highway must remove any glass or other injurious
34 substance dropped upon the highway from such vehicle. A person
35 who fails to do so commits a simple misdemeanor punishable by a

1 scheduled fine of \$35. This bill provides that the person at
2 fault is liable for all costs associated with the removal. The
3 costs must be paid by the person or by the person's insurance
4 company. By operation of law, a person who does not pay for the
5 removal as required commits a simple misdemeanor punishable by
6 a scheduled fine of \$35.

7 The bill includes removal of vehicles, glass, or other
8 injurious substances left upon the highway after a wreck as
9 "loss or damage" that may be insured under Code section 515.48.

10 Under current law, a towing or recovery vehicle is
11 authorized to display a flashing amber light. However, such a
12 vehicle may be designated as an authorized emergency vehicle,
13 in which case the vehicle is authorized to display red and blue
14 lights. The bill provides that such vehicles, regardless of
15 whether the vehicle is an authorized emergency vehicle, may
16 display solid or flashing blue lights when being used to clear
17 a vehicle or debris from a highway. Code section 321.1 defines
18 "towing or recovery vehicle" as a motor vehicle equipped with
19 booms, winches, slings, or wheel lifts used to tow, recover, or
20 transport other motor vehicles.

21 Under current law, a violation of Code section 321.423
22 (flashing lights) is punishable by a scheduled fine of \$45.